IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re:

Application of:

Ehud ARBIT, et al.

MAR 1 4 2005

Serial No.:

10/500,822

Int'l Filing Date:

January 7, 2003

For:

ORAL INSULIN THERAPY

MAILSTOP: MISSING PARTS

Commissioner for Patents

March 10, 2005

P.O. Box 1450

Arlington, VA 22313-1450

RESPONSE TO DECISION ON PETITION

SIR:

In response to the Decision on Petition from the United States Patent and Trademark Office dated December 20, 2004, a copy of which is enclosed, Applicants herewith submit a new Declaration/Power of Attorney executed by the inventors (8 pages) that satisfies the provisions of 37 C.F.R. § 1.497(a)-(b), a Petition for One-Month Extension of Time and a check in the amount of \$250.00, which includes \$130.00 to cover the missing parts surcharge and \$120.00 for one-month extension fee.

If it is determined that any additional fee is due, the Commissioner is authorized to charge same (or to credit any over payment) to our Deposit Account No. 50-0552.

By

03/15/2005 HGUTEMA1 00000086 10500822

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130.00 OP

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

Morey B. Wildes, Reg. No. 36,968

Attorney for Applicant

Davidson, Davidson & Kappel, LLC 485 Seventh Avenue - 14th Floor New York, NY 10018 (212) 736-1940



BEST AVAILABLE COPY

Docket No.:817.1009US

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

ORAL INSULIN THERAPY					
the specification of which (check one)		······			
is attached hereto					•
was filed on <u>January 7, 2003</u> as Inter	nation	al Application :	Serial No. <u>PCT</u>	/ <u>US03/00337</u> and w	as amended on
I hereby authorize and request our atto New York 10018 to insert here in parentheses (applica plicati	ation number _ on number of	said application	when known.	, filed
I hereby state that I have reviewed and underst amended by any amendment referred to above.					
I acknowledge the duty to disclose all information defined in Title 37, Code of Federal Regulations	on tha s, §1.50	t is known to r 6.	ne to be mater	ial to the patentability	of this application as
I hereby claim priority benefits under Title 35, patent or inventor's certificate listed below and or inventor's certificate having a filing date before	have a	also identified l	pelow any forei	gn and/or provisional	onal application(s) for application for patent
60/346,746	us		7 January 20	02	Priority claimed
Number	Coun	try	Day/Month/Year	Filed	Yes No
60/347,312	us		9 January 20	02	Priority claimed
Number	Count	try	Day/Month/Year	Filed	Yes No
60/368,617	us		29 March 200	02	Priority claimed
Number	Count	try	Day/Month/Year	Filed	Yes No
60/374,979	US		23 April 2002		Priority claimed
Number	Count	try	Day/Month/Year	Filed	Yes No
60/389,364	US		17 June 2002		Priority claimed Yes No
Number	Count	try	Day/Month/Year	Filed	Priority claimed
Number	US	·n.	Day/Manth Man	. Ettad	Yes No
I hereby claim the benefit under Title 35, Unit insofar as the subject matter of each of the clai the manner provided by the first paragraph of T information as defined in Title 37, Code of Fed application and the national or PCT international	ms of itle 35 eral R	ates Code, §1: this application , United States egulations, §1	n is not disclos Code, §112, I .56(a) which o	ed States application led in the prior United acknowledge the du ccurred between the	n(s) listed below and, d States application in ty to disclose material
10/237,138		6 September	2002	abandoned	
Application Serial Number		Day/Month/Yea	r Filed	Status	
Application Serial Number		Day/Month/Yea	r Filed	Status	

And I hereby appoint Clifford M. Davidson, Reg. No. 32,728, Leslye B. Davidson, Reg. No. 38,854, Cary S. Kappel, Reg. No. 36,561, William C. Gehris, Reg. No. 38,156, Morey B. Wildes, Reg. No. 36,968, Robert J. Paradiso, Reg. No. 41,240, Erik R. Swanson, Reg. No. 40,833, Thomas P. Canty, Reg. No. 44,586, and all other registered attorneys and agents at Davidson, Davidson & Kappel, LLC, U.S. Patent and Trademark Office Customer Number 23280, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith; correspondence address: DAVIDSON, DAVIDSON & KAPPEL, LLC, 485 Seventh Avenue, 14th Floor, New York, New York 10018; Telephone: (212) 736-1940; Fax: (212) 736-2427.

BILT AVAILABLE COPY

Docket No.:817.1009US

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

	Iful false statements may jeopardize the			or any patent issued thereon.	
Full name of sole or first inventor	Ehud ARBIT		Full name of additional Inventor	Richat ABBAS	
Inventor's signature	elle A		Inventor's signature		
Date	2/16 , 2005		Date	, 2005	
Residence	Tarrytown, NY		Residence	Mohegan Lake, NY Audubon, Pt	
Post Office Address	765 Old Saw Mill River Road Tarrytown, NY 10591		Post Office Address	Mohegan Lake, NY Hudubon, PA 3705 Marcy Street 1500 Pintail D Mohegan Lake, NY 10547 Audubon,	rive PA
Citizenship	US		Citizenship	us 194	03
Full name of additional Inventor	Michael GOLD BERGO		Full name of additional Inventor	T. Cooper WOODS	
Inventor's signature	111911		Inventor's signature		
Date	2/16 ,2005		Date	, 2005	
Residence	Tarrytown, NY	_	Residence	New York, NY	
Post Office Address	765 Old Saw Mill River Road Tarrytown, NY 10591		Post Office Address	24 First Avenue, 2 nd Floor New York, NY 10009	
Citizenship	us		Citizenship	US	
Full name of	Steven DINH		Full name of	Vision WONG	
additional Inventor Inventor's signature	Stevensih	$\dashv \dagger$	additional Inventor Inventor's signature	Vivien WONG	
Date	2/16 , 2005		Date	, 2005	
Residence	Tarrytown, NY		Residence	Scarsdale, Farrytown, NY	
Post Office Address	765 Old Saw Mill River Road Tanytown, NY 10591		Post Office Address	423 Fort to 765 Old Saw Mill River Road Tarrytown, NY 10501 Scarsdale	
Citizenship	US		Citizenship	US	1058
		7			
Full name of additional Inventor		_	Full name of additional Inventor		
Inventor's signature		-	Inventor's signature		
Date		_ -	Date		
Residence			Residence		
Post Office Address			Post Office Address		
Citizenship			Citizenship		

DECLARATION AND POWER O

,, AVAILABLE COPY

MAR 1 4 2005

Docket No.:817.1009US

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated belongest to my hame. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

ORAL INSULIN THERAPY the specification of which (check one) is attached hereto was filed on January 7, 2003 as International Application Serial No. PCT/US03/00337 and was amended on \boxtimes I hereby authorize and request our attorneys, Davidson, Davidson & Kappel, LLC of 485 Seventh Avenue, New York, New York 10018 to insert here in parentheses (application number) the filing date and application number of said application when known. filed I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims,

as amended by any amendment referred to above. I acknowledge the duty to disclose all information that is known to me to be material to the patentability of this application as

defined in Title 37, Code of Federal Regulations, §1.56. I hereby claim priority benefits under Title 35, United States Code, §119 of any foreign and/or provisional application(s) for

patent or inventor's certificate listed below and have also identified below any foreign and/or provisional application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

60/346,746	us	7 January 2002	Priority daimed Yes No
Number	Country	Day/Month/Year Filed	Priority claimed
60/347,312	US	9 January 2002	
Number	Country	Day/Month/Year Filed	Yes No
60/368,617	US	29 March 2002	Priority claimed
Number .	Country	Day/Month/Year Filed	Yes No
60/374,979	us	23 April 2002	Priority claimed
Number	Country	Day/Month/Year Filed	Yes No
60/389,364	US	17 June 2002	Prity claimed
Number	Country	Day/Month/Year Filed	Yes No
Trumpor	US		Priority claimed
Number	Country	Day/Month/Year Filed	Yes No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

10/237,138	6 September 2002	abandoned
Application Serial Number	Day/Month/Year Filed	Status
A supplied Outstation Co.	Day/Month/Year Filed	Status
Application Serial Number	Day/Monal Con Chica	

And I hereby appoint Clifford M. Davidson, Reg. No. 32,728, Leslye B. Davidson, Reg. No. 38,854, Cary S. Kappel, Reg. No. 36,561, William C. Gehris, Reg. No. 38,156, Morey B. Wildes, Reg. No. 36,968, Robert J. Paradiso, Reg. No. 41,240, Erik R. Swanson, Reg. No. 40,833, Thomas P. Canty, Reg. No. 44,586, and all other registered attorneys and agents at Davidson, Davidson & Kappel, LLC, U.S. Patent and Trademark Office Customer Number 23280, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith; correspondence address: DAVIDSON, DAVIDSON & KAPPEL, LLC, 485 Seventh Avenue, 14th Floor, New York, New York 10018; Telephone: (212) 736-1940; Fax: (212) 736-2427.

Citizenship

DECLARATION AND POWER OF ATTORNEY

Docket No.:817.1009US

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

ull name of sole	Ehud ARBIT	Full name of additional inventor	Richat ABBAS
ventor's gnature	Endoyates	Inventor's signature	PAL
ate	, 2005	Date	Feb. 25,2005
esidence	Tarrytown, NY	Residence	Audubon, PA 19403
esiderica			1500 Pintail Drive
Post Office	765 Old Saw Mill River Road	Post Office Address	Audubon, PA 19403
Address	Tarrytown, NY 10591	Address	
Cittzenship	US	Citizenship	us
ull name of		Full name of	T Conser WOODS
additional Inventor	Michael GOLDBERG	additional Inventor Inventor's	T. Cooper WOODS
nventor's signature		signature	
Date	, 2005	Date	, 2005
Residence	Tarrytown, NY	Residence	New York, NY
			24 First Avenue, 2 nd Floor
Post Office Address	765 Old Saw Mill River Road Tarrytown, NY 10591	Post Office Address	New York, NY 10009
Citizenship	us	Citizenship	us
Citizetianip			
Full name of additional inventor	Steven DINH	Full name of additional inventor	Vivien WONG
inventor's	J. O.	Inventor's	
signature		signature	
Date	, 2005	Date	, 2005
Residence	Tarrytown, NY	Residence	Scarsdate, NY
			423 Fort Hill Road
Post Office Address	765 Old Saw Mill River Road Tarrytown, NY 10591	Post Office Address	Scarsdale, NY 10583
Citizenship	US	Cittzenshlp	US
<u> </u>			1
Full name of additional inventor		Full name of additional inventor	
Inventor's signature		inventor's signature	3
Date		Date	
Residence		Residence	
			·
Post Office Address		Post Office Address	
		Cittagashia	

As a below named inventor, I hereby doctor

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DECLARATION AND ATTORNEY

MAR 1 4 2005

Docket No.:817.1009US

	The manual inventor, i hereby declars that.
My res	idence, post office address and citizenship are as steed below next to my name.
I believ	ve I am the original, first and sole inventor (if only one managed listed below) or an original, first and joint inventor (if names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:
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the spe	edification of which (check one)
	is attached hereto
Ø	was filed on January 7, 2003 as International Application Serial No. PCT/US03/00337 and was amended on
☐ York, N	I hereby authorize and request our attorneys, Davidson, Davidson & Kappel, LLC of 485 Seventh Avenue, New New York 10018 to insert here in parentheses (application number

filed) the filing date and application number of said application when known. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information that is known to me to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code, §119 of any foreign and/or provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign and/or provisional application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

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Number	Country	Day/Month/Year Filed	Yas No
60/374,979	us	23 April 2002	Priority claimed
Number	Country	Day/Month/Year Filed	Yes No
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Number	Country	Day/Month/Year Filed	Yes No
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10/237,138 Application Serial Number	6 September 2002 Day/Month/Year Filed	abandoned Status
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And I hereby appoint Clifford M. Davidson, Reg. No. 32,728, Leslye B. Davldson, Reg. No. 38,854, Cary S. Kappel, Reg. No. 36,561, William C. Gehris, Reg. No. 38,156, Morey B. Wildes, Reg. No. 36,968, Robert J. Paradiso, Reg. No. 41,240, Erik R. Swanson, Reg. No. 40,833, Thomas P. Canty, Reg. No. 44,586, and all other registered attorneys and agents at Davidson, Davidson & Kappel, LLC, U.S. Patent and Trademark Office Customer Number 23280, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith; correspondence address: DAVIDSON, DAVIDSON & KAPPEL, LLC, 485 Seventh Avenue, 14th Floor, New York, New York 10018; Telephone: (212) 736-1940; Fax: (212) 736-2427.

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Full name of sole or first Inventor	Ehud ARBIT	Full name of additional inventor	Richat ABBAS
nventor's signature		Inventor's signature	
Date	, 2005	Date	, 2005
Residence	Tarrytown, NY	Residence	Audubon, PA 19403
Post Office Address	765 Old Saw Mill River Road Tarrytown, NY 10591	Post Office Address	1500 Pintail Drive Audubon, PA 19403
Citizenship	US	Citizenship	บร
Full name of additional Inventor	Michael GOLDBERG	Full name of additional Inventor	T. Cooper WOODS
Inventor's signature		Inventor's signature	J. Com Wha
Date	, 2005	Date	2/22 ,2005
Residence	Tarrytown, NY	Residence	New York, NY
Post Office Address	765 Old Saw Mill River Road Tarrytown, NY 10591	Post Office Address	24 First Avenue, 2 nd Floor New York, NY 10009
Citizenship	us	Cltizenship	us
Full name of additional Inventor	Steven DINH	Full name of additional inventor	Vivien WONG
Inventor's signature		Inventor's signature	
Date	, 2005	Date	, 2005
Residence	Tanytown, NY	Residence	Scarsdale, NY
Post Office Address	765 Old Saw Mill River Road Tamytown, NY 10591	Post Office Address	423 Fort Hill Road Scarsdale, NY 10583
Citizenship	us	Citizenship	us
Full name of additional inventor		Full name of additional inventor	
nventor's signature		Inventor's signature	
Date		Date	
Residence		Residence	
Post Office Address		Post Office Address	

Cilizenship

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Number	Country	Day/Month/Year Filed	1
	us		Priority claimed

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Day/Month/Year Filed

Country

10/237,138 Application Serial Number	6 September 2002 Day/Month/Year Filed	abandoned Status
Application Serial Number	Day/Month/Year Filed	Status

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Cltizenship	US	Citizenship	us
Full name of additional Inventor	Michael GOLDBERG	Full name of additional inventor	T. Cooper WOODS
Inventor's signature	Michael Coepberro	Inventor's signature	
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Citizenship	US	Citizenship	US
Full name of additional Inventor	Steven DINH	Full name of additional Inventor	Vivien WONG
Inventor's signature		Inventor's signature	Chemlesen
Date	, 2005	Date	Jeb 17, 2005
Residence	Tarrytown, NY	Residence	Scarsdale, NY
Post Office Address	765 Old Saw Mill River Road Tarrytown, NY 10591	Post Office Address	423 Fort Hill Road Scarsdale, NY 10583
Çitizənship	US	Citizenship	US
5 B		Full name of	
Full name of additional inventor Inventors		additional Inventor	
signature		Inventor's signature	
Date		Date	
Residence		Residence	
Post Office Address		Post Office Address	

Citizenship